

# House File 671 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON PUBLIC  
SAFETY

(SUCCESSOR TO HF 82)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act providing volunteer emergency services providers  
2 protection from employment termination.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1093HV 83  
5 ak/rj/5

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1 1 Section 1. NEW SECTION. 100B.14 VOLUNTEER JOB  
1 2 PROTECTION.  
1 3 1. This section shall be known as the "Volunteer Emergency  
1 4 Services Providers Job Protection Act".  
1 5 2. For the purposes of this section, "volunteer emergency  
1 6 services provider" means a volunteer fire fighter as defined  
1 7 in section 85.61, a reserve peace officer as defined in  
1 8 section 80D.1A, an emergency medical care provider as defined  
1 9 in section 147A.1, or other personnel having voluntary  
1 10 emergency service duties and who are not paid full-time by the  
1 11 entity for which the services are performed in the local  
1 12 service area, in a mutual aid agreement area, or in a  
1 13 governor-declared state of disaster emergency area.  
1 14 3. A public or private employer shall not terminate the  
1 15 employment of an employee for joining a volunteer emergency  
1 16 services unit or organization, including but not limited to  
1 17 any municipal, rural, or subscription fire department.  
1 18 4. If an employee has provided the employee's public or  
1 19 private employer with written notification that the employee  
1 20 is a volunteer emergency services provider, the employer shall  
1 21 not terminate the employment of a volunteer emergency services  
1 22 provider who, because the employee was fulfilling the  
1 23 employee's duties as a volunteer emergency services provider,  
1 24 is absent from or late to work.  
1 25 5. An employer may deduct from an employee's regular pay  
1 26 an amount of regular pay for the time that an employee who is  
1 27 a volunteer emergency services provider is absent from work  
1 28 while performing duties as a volunteer emergency services  
1 29 provider.  
1 30 6. An employer may request that an employee who is a  
1 31 volunteer emergency services provider and who is absent from  
1 32 or late to work while responding to an emergency provide the  
1 33 employer with a written statement from the supervisor or  
1 34 acting supervisor of the volunteer emergency services unit or  
1 35 organization stating that the employee responded to an  
2 1 emergency and stating the date and time of the emergency.  
2 2 7. An employee who is a volunteer emergency services  
2 3 provider and who may be absent from or late to work while  
2 4 performing duties as a volunteer emergency services provider  
2 5 shall notify the employer as soon as possible that the  
2 6 employee may be absent or late.  
2 7 8. An employer shall determine whether an employee may  
2 8 leave work to respond to an emergency as part of the  
2 9 employee's volunteer emergency services provider duties.  
2 10 9. An employee whose employment is terminated in violation  
2 11 of this section may bring a civil action against the employer.  
2 12 The employee may seek reinstatement to the employee's former  
2 13 position, payment of back wages, reinstatement of fringe  
2 14 benefits, and, where seniority rights are granted,  
2 15 reinstatement of seniority rights. If the employee prevails  
2 16 in such an action, the employee shall be entitled to an award  
2 17 of reasonable attorney fees and the costs of the action. An

2 18 employee must commence such an action within one year after  
2 19 the date of termination of the employee's employment.

2 20 EXPLANATION

2 21 This bill establishes the volunteer emergency services  
2 22 providers job protection Act. The bill states that if an  
2 23 employee provides written notice to the employee's public or  
2 24 private employer that the employee is a volunteer emergency  
2 25 services provider, the employer is prohibited from terminating  
2 26 the employment of the employee who is absent from or late to  
2 27 work due to the employee's service as a volunteer emergency  
2 28 services provider in the volunteer's emergency area. If the  
2 29 employee misses work as a result of voluntary service, the  
2 30 employer may deduct an amount of regular pay from the  
2 31 employee's wages for the time away from work and the employer  
2 32 may require that the employee provide written verification of  
2 33 the employee's voluntary service. An employer shall determine  
2 34 whether an employee may leave work to respond to an emergency.

2 35 The bill allows a volunteer emergency services provider  
3 1 whose employment is terminated in violation of the bill to  
3 2 bring a civil action against the employer within one year of  
3 3 the termination. The employee may seek reinstatement of  
3 4 employment, back wages, benefits, and reinstatement of  
3 5 seniority. The bill also allows a successful employee to  
3 6 recover reasonable attorney fees and court costs.

3 7 LSB 1093HV 83

3 8 ak/rj/5